

AMENDED IN SENATE JUNE 3, 2003
AMENDED IN SENATE APRIL 22, 2003
AMENDED IN SENATE MARCH 25, 2003

SENATE BILL

No. 964

Introduced by Senator Burton

February 21, 2003

An act to add Section 60852.5 to the Education Code, relating to the high school exit examination, *and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

SB 964, as amended, Burton. High school exit examination.

Existing law requires, commencing with the 2003–04 school year, each pupil completing grade 12 to successfully pass the high school exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school.

This bill would ~~require that passage until March 1, 2007, prohibit use of the high school exit examination may not, until March 1, 2007, be used~~ for the above purposes with respect to a pupil who is an individual with exceptional needs, as defined by state or federal law. The bill would authorize the use of the high school exit examination for the above purposes after March 1, 2007, for those pupils only if the Superintendent of Public Instruction demonstrates by impartial and specific evidence specified conditions. The bill would permit the high school exit examination to only be given on a voluntary basis to individuals with exceptional needs until the superintendent has met all of the specified conditions.

This bill would reappropriate \$1,000,000 appropriated in the Budget Act of 2003 from the Federal Trust Fund, for the purposes of alternative assessments for pupils with exceptional needs pursuant to this bill.

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 60852.5 is added to the Education Code,
- 2 to read:
- 3 60852.5. (a) Notwithstanding Section 60851, a pupil who is
- 4 an individual with exceptional needs, as defined in Section 56026,
- 5 or who is disabled, as defined in Section 504 of the federal
- 6 Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), ~~may~~ *shall* not be
- 7 required to pass the high school exit examination as a condition of
- 8 receiving a diploma of graduation or a condition of graduation
- 9 from high school until March 1, 2007. After March 1, 2007, the
- 10 high school exit examination may be used for these purposes with
- 11 respect to those pupils only if the Superintendent of Public
- 12 Instruction demonstrates by impartial and specific evidence all of
- 13 the following:
- 14 (1) The high school exit examination has both instructional and
- 15 curricular validity for individuals with exceptional needs.
- 16 (2) The individualized education programs of individuals with
- 17 exceptional needs, as developed pursuant to Article 3
- 18 (commencing with Section 56340) of Chapter 4 of Part 30, have
- 19 been aligned, both with the curriculum and with the skills and
- 20 knowledge that the high school exit examination is designed to
- 21 measure.
- 22 (3) The state has in place alternate methods of assessment,
- 23 other than the high school exit examination or standardized tests,
- 24 for those individuals with exceptional needs that cannot be fairly
- 25 evaluated on standardized tests. ~~An individual with exceptional~~
- 26 ~~needs that passes an alternate assessment to the high school exit~~
- 27 ~~examination is entitled to a regular high school diploma if the pupil~~
- 28 ~~otherwise meets the requirements for graduation from high school.~~
- 29 (4) A reasonable accommodations policy for individuals with
- 30 exceptional needs in taking the high school exit examination is in
- 31 place, which allows the pupils to use, without invalidating their



1 test scores, those reasonable accommodations set forth in their
2 individualized education programs.

3 (b) Until all of the conditions set forth in subdivision (a) have
4 been met by the Superintendent of Public Instruction, the high
5 school exit examination shall only be given on a voluntary basis
6 to individuals with exceptional needs.

7 (c) *An individual with exceptional needs that passes an*
8 *alternate assessment to the high school exit examination is entitled*
9 *to a regular high school diploma if the pupil otherwise meets the*
10 *requirements for graduation from high school.*

11 (d) For the purposes of this section, “accommodations,”
12 “curricular validity,” and “instructional validity” have the
13 meanings set forth in subdivision (f) of Section 60850.

14 *SEC. 2. From funds appropriated from the Federal Trust*
15 *Fund pursuant to Item 6110-113-0890 of Section 2.00 of the*
16 *Budget Act of 2003, the sum of one million dollars (\$1,000,000)*
17 *is hereby reappropriated for the purposes of alternate assessments*
18 *for pupils with exceptional needs pursuant to Section 60852.5 of*
19 *the Education Code.*

